GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT.

Labour Dispute.—Industrial Dispute between the Workmen and the Management of M/s. J. V. Watch works, Mangalore.

Award of the Labour Court, Mangalore—Published.

Read the following papers :

(1) Letter No.A/ID/44/70-71 dated 17th December 1970 from Sri Mohd. Hameeduddin Khan, Presiding Officer, Labour Court, Mangalore.

BEFORE THE LABOUR COURT AT MANGALORE.

Dated 17th December 1970.

Reference (ID) (LCM) No. 44 of 1970.

Present :

Mohd. Hameeduddin Khan, B. SC., LL. B., ... *Presiding Officer.*

Between :

The workmen represented by the Secretary, Karnataka Watch Works Union, Maidan Cross Road, Mangalore. 1.
... *I Party.*

and

The management of M/s. J. V. Watch Works, Mangalore.
... *II Party.*

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of M/S J. V. Watch Works, Mangalore referred it under Section 10 (1) (c) of the Industrial Disputes Act, 1947 *vide* Order No. FCL 447 LLD 70 dated 16th October 1970 to this Labour Court at Mangalore for adjudication on the following points of dispute :

"I. Are the workmen of J. V. Works, Mangalore justified in demanding that a gratuity scheme be introduced with effect from from 1st August 1969 as follows :

One month's salary or wages for every completed year of service.

(i) on superannuation at the age of 55 years ;

(ii) on physical or mental incapacity to continue to work ;

(iii) on death (to his legal heirs) ; and

(iv) on voluntary resignation after 5 years of continuous service ?

II. If not, to what other quantum of gratuity or relief are the said workmen entitled?"

2. On receipt of the reference it was registered as Reference (ID) (LCM) No. 44 of 1970 on the file of this Court, and notices were issued to both the parties to fiile their claim and counter statements. On 13th November 1970 Sri P. S. Tellicherikar appeared for the I Party and took time for filing the claim statemeht. Notice was served on the II Party on 30th October 1970 as per the postal acknowledgment. But none was present on that day for the II Party. On 26th November 1970 also Sri P. S. Tellicherikar took time to file the claim statement. That day also the II Party was not present in spite of service of notice. On 14th December 1970 Sri P. S. Tellicherikar appeared for the I Party and undertook to file withdrawal. Today the 17th December, 1970 Sri P. S. Tellicherikar appeared for the I Party and filed withdrawal memo under his signature. None was present on behalf of the II Party, though the notice was already served on the II Party on 30th October 1970 as per the postal acknowledgment. In the withdrawal memo filed by the I Party it is stated that the II Party management has promised to pay the service compensation to its employees and change their working condition, as such the I Party in view of the above assurance given by the II Party management does not press the dispute in question. It was prayed to pass an award accordingly. Hence allowing this memo, I make the following award :

AWARD

The reference is rejected as not pressed. No order as to costs.

Mangalore
17th December 1970.

MOHD. HAMEEDUDDIN KHAN,
Presiding Officer,
Labour Court, Mangalore.